

1 PHILLIP A. TALBERT
2 United States Attorney
2 JEFFREY A. SPIVAK
3 Assistant United States Attorney
3 MISDEMEANOR UNIT
4 2500 Tulare Street, Suite 4401
4 Fresno, California 93721
Telephone: (559) 497-4000

6 || Attorneys for Plaintiff
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 DONTAE R. MALONE,
15 Defendant.

Case No. 5:21-po-00554-SAB

MOTION FOR EARLY TERMINATION OF
PROBATION PURSUANT TO 18 U.S.C.
§ 3564(c); FED. R. CRIM. P. 32.1(c)(2)(B);
and ORDER

18 The United States Attorney, by and through Phillip A. Talbert, United States Attorney, and
19 Jeffrey A. Spivak, Assistant United States Attorney hereby moves for an early termination of probation
20 pursuant to 18 U.S.C. § 3564(c); and Federal Rules of Criminal Procedure, Rule 32.1(c)(2)(B).

On March 4, 2022, the Court sentenced Defendant to serve 90 days unsupervised probation to expire on June 4, 2022 (ECF No. 11). The conditions of Defendant's probation include payment of a fine in the amount of \$200.00; payment of a special assessment in the amount of \$10.00; and payment of a processing fee in the amount of \$30.00 for a total financial obligation of \$240.00 to be paid in full by April 15, 2022. The Court set a Probation Review Hearing for May 3, 2022, at 10:00 a.m. before Magistrate Judge Stanley A. Boone.

Defendant has paid the fine in full. (See ECF No. 16 ('FINAL PAYMENT RECEIVED')).

The government respectfully request this Court to terminate probation pursuant to 18 U.S.C. § 3564(c); and Federal Rules of Criminal Procedure, Rule 32.1(c)(2)(A) (no hearing required if “relief sought is favorable to the person and does not extend the term of probation or of supervised release”).

DATED: April 29, 2022

Respectfully submitted,

PHILLIP A. TALBERT
United States Attorney

By: /s/ Jeffrey A. Spivak
JEFFREY A. SPIVAK
Assistant United States Attorney

ORDER

IT IS HEREBY ORDERED that Defendant's probation be terminated and that the Probation Review Hearing in this matter be vacated.

IT IS SO ORDERED.

Dated: April 29, 2022



UNITED STATES MAGISTRATE JUDGE